

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)



Order Filed on July 17, 2024
by Clerk
U.S. Bankruptcy Court
District of New Jersey

In Re:

Gloriann M. Walker

Case No.: 18-11058

Chapter: 13

Hearing Date: 7/10/24

Judge: Michael B. Kaplan

ORDER DENYING MOTION TO REOPEN

The relief set forth on the following pages, numbered two (2) through 2 is
ORDERED.

DATED: July 17, 2024



Honorable Michael B. Kaplan
United States Bankruptcy Judge

This matter comes before the Court on Debtor's Motion (ECF No. 92) seeking to reopen her Chapter 13 in order to allow the subsequent filing of a Motion to Strip Off previously unknown second mortgage lien. Quimby Ventures, LLC, who is the junior lien-holder on the subject property, filed Opposition (ECF No. 94). The Court considers this matter on the papers, without oral argument.

The relief requested in the Motion seeks to reopen the case to "allow the addition of omitted creditor Quimby Ventures to Debtor's schedules, to allow Quimby Ventures, LLC to file a Proof of Claim if they so chose, to allow the debtor to file her motion to strip off the unsecured mortgage lien and pay Quimby Ventures, LLC their Pro Rata share of the unsecured debt as necessary." This, necessarily, entails modification of Debtor's confirmed Chapter 13 plan. Post-confirmation plan modification is governed by 11 U.S.C. § 1329. However, Section 1329 permits modification only "before the completion of payments[.]" Here, Debtor completed her plan payments earlier this year and received her discharge on January 29, 2024 (ECF No. 89). Accordingly, her plan cannot be reopened and modified to address the debt owed to Quimby Ventures.

For the foregoing reasons, it is hereby

ORDERED that Debtor's Motion to Reopen (ECF No. 92) is DENIED.

In re:
Gloriann M. Walker
Debtor

Case No. 18-11058-MBK
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3
Date Rcvd: Jul 17, 2024

User: admin
Form ID: pdf903

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 19, 2024:

Recip ID	Recipient Name and Address
db	+ Gloriann M. Walker, 275 Hazlitt Way, Somerset, NJ 08873-4939

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jul 19, 2024

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on July 17, 2024 at the address(es) listed below:

Name	Email Address
Albert Russo	docs@russotrustee.com
Albert Russo	on behalf of Trustee Albert Russo docs@russotrustee.com
Aleisha Candace Jennings	on behalf of Creditor U.S. Bank Trust Company National Association, as Trustee, as successor-in-interest to U.S. Bank National Association, successor trustee to LaSalle Bank National Association, on behalf of the holders ajennings@hillwallack.com
Andrew M. Lubin	on behalf of Creditor U.S. Bank N.A., successor trustee to LaSalle Bank National Association, on behalf of the holders of Bear Stearns Asset Backed Securities I Trust 2005-FR1, Asset-Backed Certificates Series 2005-FR1 nj-ecfmail@mwc-law.com, alubin@milsteadlaw.com
Bruce C. Truesdale	on behalf of Debtor Gloriann M. Walker brucectruesdalepc@gmail.com bctpccef@gmail.com;r49787@notify.bestcase.com

District/off: 0312-3

User: admin

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Date Rcvd: Jul 17, 2024

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Total Noticed: 1

Denise E. Carlon

on behalf of Creditor Global Lending Services LLC dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com

Elizabeth K. Holdren

on behalf of Creditor Carriage Homes at Quailbrook Condominium Association Inc. eak@hillwallack.com, jhanley@hillwallack.com;hwbknj@hillwallack.com;eholdren@ecf.courtdrive.com;kgardiner@HillWallack.com

Michael J. Milstead

on behalf of Creditor U.S. Bank N.A., successor trustee to LaSalle Bank National Association, on behalf of the holders of Bear Stearns Asset Backed Securities I Trust 2005-FR1, Asset-Backed Certificates Series 2005-FR1 bkecf@milsteadlaw.com, bkecf@milsteadlaw.com

Michael J. Milstead

on behalf of Creditor Select Portfolio Servicing Inc., as servicer for U.S. Bank, N.A., successor trustee to LaSalle Bank National Association, on behalf of the holders of Bear Stearns Asset Backed Securities I Trust 2005 bkecf@milsteadlaw.com, bkecf@milsteadlaw.com

Michael M Khalil

on behalf of Debtor Gloriann M. Walker mkhalilecf@gmail.com

R. A. Lebron

on behalf of Creditor Select Portfolio Servicing Inc., as servicer for U.S. Bank, N.A., successor trustee to LaSalle Bank National Association, on behalf of the holders of Bear Stearns Asset Backed Securities I Trust 2005 bankruptcy@fskslaw.com

Roger Fay

on behalf of Creditor U.S. Bank N.A., successor trustee to LaSalle Bank National Association, on behalf of the holders of Bear Stearns Asset Backed Securities I Trust 2005-FR1, Asset-Backed Certificates Series 2005-FR1 rfay@alaw.net, bkecf@milsteadlaw.com

Roger Fay

on behalf of Creditor Select Portfolio Servicing Inc., as servicer for U.S. Bank, N.A., successor trustee to LaSalle Bank National Association, on behalf of the holders of Bear Stearns Asset Backed Securities I Trust 2005 rfay@alaw.net, bkecf@milsteadlaw.com

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

Warren S. Jones, Jr.

on behalf of Creditor Quimby Ventures LLC email@warrensjones.com, r46134@notify.bestcase.com;robert@warrensjones.com

TOTAL: 15